

**CITY OF EL PASO, TEXAS**  
**AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** Planning and Economic Development Department, Planning Division

**AGENDA DATE:** Introduction: November 30, 2010  
Public Hearing: December 21, 2010

**CONTACT PERSON/PHONE:** Andrew Salloum, (915) 541-4633, salloumam@elpasotexas.gov

**DISTRICT(S) AFFECTED:** 5

**SUBJECT:**

An ordinance changing the zoning of all of Lot 67, Block 214, Tierra Del Este Unit 54, Replat "A", City of El Paso, El Paso County, Texas from R-5 (Residential) to C-2 (Commercial), and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: North of Pebble Hills Boulevard and East of Rich Beem Boulevard. Applicant: Ranchos Real XII, LTD. ZON10-00078 (**District 5**)

**BACKGROUND / DISCUSSION:**

N/A

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

Development Coordinating Committee (DCC) – Reviewed  
City Plan Commission (CPC) – Approval Recommendation (7-0)

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:**

Mathew S. McElroy  
Deputy Director, Planning and Economic Development Department

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE CHANGING THE ZONING OF ALL OF LOT 67, BLOCK 214, TIERRA DEL ESTE UNIT 54, REPLAT "A", CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-5 (RESIDENTIAL) TO C-2 (COMMERCIAL), AND IMPOSING CONDITIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of *all of Lot 67, Block 214, Tierra Del Este Unit 54, Replat "A", City of El Paso, El Paso County, Texas*, be changed from **R-5 (Residential)** to **C-2 (Commercial)**, within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

Further, that the property described above be subject to the following condition which is necessitated by and attributable to the increased density of use generated by the change of zoning in order to protect the health, safety and welfare of the adjacent property owners and the residents of this City:

1. *That a detailed site development plan be reviewed and approved per the El Paso City Code in effect at the time of submittal of the application for detailed site development plan review, prior to the issuance of any building permits; and,*
2. *That a ten foot (10') wide landscape buffer with high profile native trees placed at ten feet (10') on center, and if Mondale pine trees, fifteen feet (15') on center, be required along the property line abutting any residential zone prior to the issuance of any certification of occupancy for this Parcel.*

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

THE CITY OF EL PASO

ATTEST:

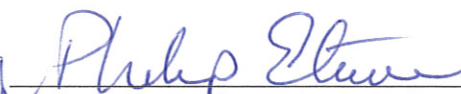
\_\_\_\_\_  
John F. Cook  
Mayor

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Lupe Cuellar  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Mathew S. McElroy, Deputy Director  
Planning and Economic Development  
Department

ORDINANCE NO. \_\_\_\_\_

ZONING CASE NO: ZON10-00078

## MEMORANDUM

**DATE:** November 18, 2010

**TO:** The Honorable Mayor and City Council  
Joyce A. Wilson, City Manager

**FROM:** Andrew Salloum, Planner

**SUBJECT: ZON10-00078**

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The City Plan Commission (CPC), on November 4, 2010, voted 7-0 to recommend **APPROVAL** of rezoning the subject property from R-5 (Residential) to C-2 (Commercial) with conditions.

The CPC found that the rezoning is in conformance with the Plan for El Paso. The CPC also determined that the rezoning protects the best interest, health, safety and welfare of the public in general; that the proposed use is compatible with adjacent land uses; and the rezoning will have no effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There was no **OPPOSITION** to this request.

**Attachment:** Staff Report



## *City of El Paso – City Plan Commission Staff Report*

**Case No:** ZON10-00078  
**Application Type:** Rezoning  
**CPC Hearing Date:** November 4, 2010  
**Staff Planner:** Andrew Salloum, 915-541-4633, [salloumam@elpasotexas.gov](mailto:salloumam@elpasotexas.gov)

**Location:** North of Pebble Hills Boulevard and East of Rich Beem Boulevard  
**Legal Description:** All of Lot 67, Block 214, Tierra Del Este Unit 54, Replat "A", City of El Paso, El Paso County, Texas

**Acreage:** 3.60 acres  
**Rep District:** 5  
**Existing Use:** Vacant  
**Zoning:** R-5 (Residential)  
**Existing Use:** Vacant  
**Request:** From R-5 (Residential) to C-2 (Commercial)  
**Proposed Use:** Commercial Development

**Property Owner:** Ranchos Real XII, LTD  
**Applicant:** Ranchos Real XII, LTD  
**Representative:** Conde, Inc.

### **SURROUNDING ZONING AND LAND USE**

**North:** R-5 (Residential) / Single-family residential and vacant  
**South:** R-5 (Residential) / Single-family residential and vacant  
**East:** R-5 (Residential) / Single-family residential and vacant  
**West:** C-2/c (Commercial/condition) / Vacant

**THE PLAN FOR EL PASO DESIGNATION:** Commercial (East Planning Area)

**Nearest Park:** Proposed Park (1,536 feet)

**Nearest School:** Pebble Hills High (3,256 feet)

### **NEIGHBORHOOD ASSOCIATIONS**

Eastside Civic Association

### **NEIGHBORHOOD INPUT**

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on October 19, 2010. The Planning Division has not received any letters or phone calls in support or opposition of the rezoning request.

### **HISTORY CASE**

On June 27, 2006, the subject property was rezoned from R-F (Ranch and Farm) to R-5 (Residential). The subject property was part of an annexation agreement that was approved by City Council.

### **APPLICATION DESCRIPTION**

The applicant is requesting to rezone property from R-5 (Residential) to C-2 (Commercial) to allow for neighborhood commercial development. The proposed access is from Pebble Hills Boulevard and Rich Beem Boulevard.

## **PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **APPROVAL** of rezoning the subject property from R-5 (Residential) to C-2 (Commercial) with the following conditions:

1. *That a detailed site development plan be reviewed and approved per the El Paso City Code in effect at the time of submittal of the application for detailed site development plan review, prior to the issuance of any building permits; and,*
2. *That a ten foot (10') wide landscape buffer with high profile native trees placed at ten feet (10') on center, and if Mondale pine trees, fifteen feet (15') on center, be required along the property line abutting any residential zone prior to the issuance of any certificate of occupancy for this Parcel.*

## **The Plan for El Paso-City-Wide Land Use Goals**

All applications for rezoning shall demonstrate compliance with the following criteria:

- a. Goal: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses.
- b. Goal: preserve, protect, and enhance the integrity, economic vitality and livability of the city's neighborhoods.
- c. Goal: encourage the provision of neighborhood commercial services which are compatible with a neighborhood's residential character.

The purpose of the C-2 (Commercial) district is to serve the needs of surrounding residential neighborhoods by providing compatible neighborhood conveniences goods and services that serve day-to-day needs. The regulations of the districts will permit location of business and professional offices and retail category uses within adjacent residential areas of medium and high densities.

## **Development Coordinating Committee Review**

The DCC reviewed and discussed the application for rezoning and offered no objections to Planning Staff's recommendation for **APPROVAL**.

## **Engineering & Construction Management Services Department – Plan Review**

Zoning Review: Plan Review has no objections to the rezoning

## **Engineering & Construction Management Service Department - Land Development**

1. Provide drainage flow.
2. ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.\*
3. Grading plan and permit shall be required.\*
4. Storm Water Pollution Prevention Plan and/or permit required.\*
5. Drainage plans must be approved by the Development Services Department, Engineering Section.\*
6. The Subdivision is within Flood Zone C - "Areas of minimal flooding, (No shading)." - Panel # 480214 0039B, dated October 15, 1982.

\* This requirement will be applied at the time of development.

## **Department of Transportation**

- No objection to rezoning.
- Notes: Sidewalks shall be provided.
- Notes: If medians in vicinity, driveway must align to existing cut. No additional median cuts will be allowed.

## **El Paso Water Utilities**

EPWU does not object to this request



**Fire Department**

El Paso Fire Department has no objections.

**CITY PLAN COMMISSION OPTIONS**

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the rezoning application

1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.
2. Recommend approval of the application with modifications to bring the rezoning into conformance with the review criteria in The Plan for El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.
3. Deny the application finding that the rezoning does not conform to the review criteria in The Plan for El Paso as reflected in CPC report or other criteria identified in the Plan by the CPC.

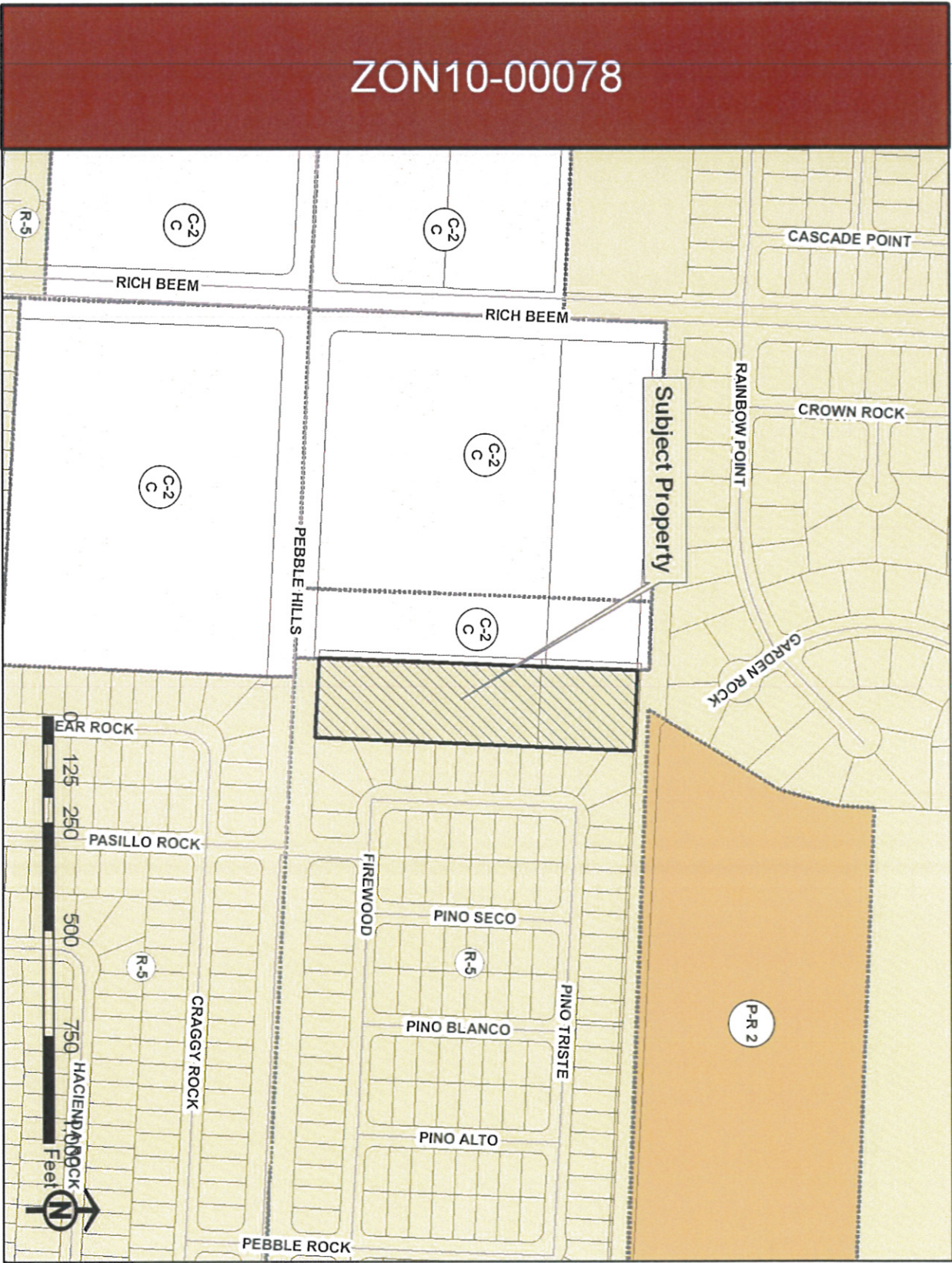
**Attachments:**

Attachment 1: Zoning Map

Attachment 2: Aerial Map

Attachment 3: Conceptual Site Plan

ATTACHMENT 1: ZONING MAP





ATTACHMENT 2: AERIAL MAP





# ZONING PLAN

BEING ALL OF LOT 67, BLOCK 214,  
TIERRA DEL ESTE UNIT FIFTY FOUR REPLAT "A",  
CITY OF EL PASO, EL PASO COUNTY, TEXAS

